

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Dawn Nelson,

Civil No. 06-4298 (DWF/SRN)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Michael J. Astrue, Commissioner
of Social Security,

Defendant.

Jennifer G. Mrozik, Esq., Northwest Disability Services, counsel for Plaintiff.

Lonnie F. Bryan, Assistant United States Attorney, United States Attorney's Office,
counsel for Defendant.

This matter is before the Court on the objections of Plaintiff Dawn Nelson ("Plaintiff") to Magistrate Judge Susan Richard Nelson's Report and Recommendation dated January 20, 2008, recommending that: (1) Plaintiff's Motion for Summary Judgment be denied; and (2) Defendant's Motion for Summary Judgment be granted. Defendant Michael J. Astrue, Commissioner of Social Security ("Defendant") submitted a response to the Report and Recommendation dated February 11, 2008 (Doc. No. 21). Plaintiff submitted objections to the Report and Recommendation on February 14, 2008 (Doc. No. 22.) Defendant responded to Plaintiff's objections.

The Court has conducted a *de novo* review of the record, including a review of the arguments and submissions of counsel, pursuant to 28 U.S.C. § 636(b)(1) and Local

Rule 72.2(b). The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference for purposes of Plaintiff's objections. The Court notes that Plaintiff's primary objection to the Report and Recommendation relates to her contention that improper weight was afforded certain doctors' opinions. In particular, Plaintiff asserts that Dr. Mackenzie's report was entitled to more weight and that Dr. Steiner's opinion was entitled to less weight. The Court concludes that the ALJ's decisions with respect to the weight to be afforded to Dr. Mackenzie's and Dr. Steiner's opinions regarding Plaintiff's limitations are supported by substantial evidence.

Based upon the *de novo* review of the record and all of the arguments and submissions of the parties and the Court being otherwise duly advised in the premises, the Court hereby enters the following:

ORDER

1. Plaintiff's objections (Doc. No. 22) to Magistrate Judge Susan Richard Nelson's Report and Recommendation dated January 30, 2008, are **DENIED**.
2. Magistrate Judge Susan Richard Nelson's Report and Recommendation dated January 30, 2008 (Doc. No. 20), is **ADOPTED**.
3. Plaintiff's Motion for Summary Judgment (Doc. No. 14) is **DENIED**.
4. Defendant's Motion for Summary Judgment (Doc. No. 17) is **GRANTED**.
5. Defendant's decision denying Plaintiff's claim for Disability Insurance benefits is **AFFIRMED**.

6. Plaintiff Dawn Nelson's Complaint (Doc. No. 1) is **DISMISSED WITH PREJUDICE.**

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: March 26, 2008

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court